

**A-Engrossed**  
**Senate Bill 352**

Ordered by the Senate April 27  
Including Senate Amendments dated April 27

Sponsored by COMMITTEE ON ENVIRONMENT AND LAND USE (at the request of Oregon Aquaculture Association)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Removes sunset on provisions for pilot program relating to purchase of aquaculture products from private aquaculture facilities.

**A BILL FOR AN ACT**

1  
2 Relating to aquaculture; amending section 1, chapter 347, Oregon Laws 1999; and repealing section  
3 3, chapter 347, Oregon Laws 1999.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 1, chapter 347, Oregon Laws 1999, as amended by section 1, chapter 935,  
6 Oregon Laws 2001, is amended to read:

7 **Sec. 1.** (1) The State Department of Fish and Wildlife shall create a [*pilot*] program to purchase  
8 aquaculture products from private aquaculture facilities. In implementing the program, the depart-  
9 ment shall spend at least 10 percent of the annual trout hatchery funds of the department on trout  
10 produced by private aquaculture facilities **if trout produced by private aquaculture facilities can**  
11 **be obtained at a cost equal to or lower than the cost to the department of producing trout**  
12 **in department owned facilities. The department does not have to meet the 10 percent re-**  
13 **quirement established in this subsection if equal or lower cost trout cannot be obtained in**  
14 **sufficient quantities.** Except as provided in subsection (3) of this section, the department shall  
15 contract with aquaculture facilities located within the State of Oregon.

16 (2) The duration of a contract under subsection (1) of this section [*shall*] **must** be for a minimum  
17 of one year [*and shall be determined by the contracting aquaculture facility. However, the contract may*  
18 *not extend beyond June 30, 2006.*] **but may be for a longer term if requested by the aquaculture**  
19 **facility. The department shall encourage small business growth in this state by contracting**  
20 **with as many aquaculture facilities as is practicable for the program.**

21 (3) The department may purchase aquaculture products from an out-of-state aquaculture facility  
22 if:

23 (a) The private facilities within the State of Oregon are unable to provide the specified  
24 aquaculture products, and the department provides the facilities with reasonable notice of intent to  
25 purchase from an out-of-state aquaculture facility; or

26 (b) The aquaculture products from facilities within the State of Oregon are infected or diseased.

27 (4) As used in this section, "aquaculture" means agriculture devoted to the propagation, culti-  
28 vation, maintenance, harvesting, processing, distribution and marketing of aquatic plants and ani-

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 mals in marine, brackish or fresh water that are for human consumption, bait or game purposes.

2 **SECTION 2. Section 3, chapter 347, Oregon Laws 1999, is repealed.**

3

---